

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Application Limit for NCE FM New)	
Station Applications in October 12-)	MM Docket No. 95-31
October 19, 2007 Window)	

September ____, 2007

Thom Paulson, General Manager of WIAA, WIAB, WICA, WICV, the stations of Interlochen Center for the Arts, supports the proposal of limiting to ten the number of applications any applicant can file.

The window filing procedures used for noncommercial educational ("NCE") station filings were adopted in 2000. At that time, the FCC assumed that procedural safe guards would adequately prevent excessive filings. Subsequent experiences with window filings demonstrate that assumption was incorrect. During the filing window for FM translators on non-reserved channels, over 13,000 applications were filed. Most of those applications remain pending. In response to the overwhelming number of applications, the Commission was forced to freeze the processing of all translator applications.

It is likely that the same problem will arise during the upcoming window for NCE stations if no application limit is enforced. Because no fees or ownership limitations are placed upon NCE applications, and because demand for such stations is high after a seven-year freeze, the potential for system overload is great. Such an outcome can be, and should be, prevented by limiting the number of applications.

There is ample precedent for an application cap to safeguard processing procedures. The Commission imposed a five-application limit during the initial filing window for low power television ("LPTV") stations, and has limited the number of low power FM holdings per applicant to one station, effectively eliminating the incentive to file multiple applications.

A limit of ten full-service NCE applications is appropriate for several reasons. First, the application limit for LPTV stations permitted the orderly processing of applications and the opening of multiple filing windows. A ten application limit here would have the same effect. Second, a ten application limit for this filing window will serve only as a starting point. The FCC can increase or decrease the number of applications allowed in subsequent filing windows if it is determined that

this number is inappropriate. By starting with a limitation of ten applications, the Commission will effectively address administrative concerns, while preserving the option of future adjustments in the number of applications accepted.

The benefits that will result from a reasonable limit on applications far outweigh the harms. The prospect that a few applicants will have to wait a short time for the next filing window is far preferable to the prospect that thousands of applicants will have to wait many years until the FCC can resolve the hundreds of mutually exclusive applications that will result from unlimited filings.

Limiting the number of applications will increase processing efficiency by preventing mass filers from inundating the Commission with applications that serve only to clog the system. Without such a limitation, it is likely that the Commission will be overwhelmed by the sheer volume of filings, and will thus be unable to award construction permits in a timely fashion.

We plan to file an application during the upcoming window. *See Public Notice*, DA 07-1613 (April 4, 2007). We should not have to wait years to know whether our application will be granted.

For the above reasons, Thom Paulson supports the proposal to limit to ten the number of applications each applicant may file during the upcoming window for NCE stations.

Respectfully Submitted

By: Thom Paulson

For: Interlochen Center for the Arts